

Testimony

House Bill 1409

House Judiciary Committee

Wednesday, January 26, 2005; 9 a.m.

North Dakota Department of Health

Good morning, Chairman DeKrey and members of the House Judiciary Committee. My name is Wayne Kern, and I am director of the Division of Waste Management for the North Dakota Department of Health. I am here today to provide testimony regarding House Bill 1409.

House Bill 1409 would direct law enforcement officers to notify the appropriate public health unit if they determine that real or personal property may be hazardous to the health of a person as a result of a methamphetamine (meth) precursor chemical. Public health units, using existing authorities, would also be directed to abate any hazards on the property and would be required to provide affected property owners a list of procedures needed to abate the hazard along with a list of private contractors able to perform the abatement.

The Department of Health recognizes the potential public health and safety concerns associated with meth labs. In response, the department has developed best management practices for cleanup of such labs that address chemicals used in the production of meth. The department believes that affected properties, if cleaned in accordance with these best management practices, will be safe for reoccupation. This information is already available to the general public, property owners responsible for cleanup, public health units and law enforcement officers for reference and use. It is important to note that once the Bureau of Criminal Investigation has processed a meth lab, remaining chemicals, if any, are those typically found in the average household, such as cleaners and cold medicines.

For approximately five years, the Department of Health has been working with the Bureau of Criminal Investigation in matters pertaining to meth labs. The Bureau of Criminal Investigation is willing to keep the department updated on the location of seized laboratories. The department, in turn, is willing to keep local public health units apprised of such information to and work with them to ensure that cleanup information is provided to affected property owners.

In conclusion, the Department of Health recognizes the issue of meth lab cleanup but believes that non-legislative measures already are available to address the concerns. The

department would support further study with interested parties to ensure appropriate support to property owners if such measures are deemed inadequate to address the problem. If legislation is pursued, it should clearly make the property owner responsible for all cleanup.

This concludes my testimony. I am happy to answer any questions you may have.